

## Remarks

The present Response is to the Office Action mailed 10/06/2008. Claims 10 and 12-17 are presented for examination.

### Claim Rejections - 35 USC § 103

2. Claims 10 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downing et al (US 5,963, 647) and Jennings et al (US 5,659,165).

**Re claim 10:** Downing discloses an interactive method for transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution (see figs. 5A-5C, Abstract, column 10, lines 37+); comprising steps of:

- (a) inputting in a data field within a single interface accessed by the user on an Internet Network a transfer amount;
- (b) selecting from a data menu within the single interface a date for the funds transfer to execute (see figs. 5A-5C, Abstract, column 10, lines 37+)
- (c) selecting from a data menu within the single interface a financial institution and associated account number of an account the transfer amount will be taken from, the financial institution providing access to the user's financial account via a Web page requiring the user at least log-in with a name and password to access the user's financial account;
- (d) selecting from a data menu within a single interface a financial institution and associated account number of an account the transfer amount will be deposited to, the financial institution providing access to the user's financial account via a Web page requiring the user at least log-in with a name and password to access the user's financial institution;
- (e) submitting the transfer funds order to be executed on the selected date; and
- (f) initiating the transfer on the requested date by proxy over the Internet network on behalf of the user;

(g) navigating by the proxy to the Web pages of the financial institutions via an automated browser on the Internet;

(h) accessing the user's financial accounts with the user's account name and password and interacting with the Web pages to transfer funds either from or to said financial accounts, as if the user.

**Applicant's response:**

Applicant points out that the present Office Action does not seem to be complete and was forwarded to applicant in error. The Examiner only presented art for a couple of the claim recitations, above, and neglected to mention Jennings in the rejection, at all, although the art was used in the 103 rejection. Never the less, applicant will provide a response to another fruitless round of prosecution.

The Examiner seems to rely on figs. 5A-5C, Abstract, column 10, lines 37+ of Downing to teach transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution including inputting in a data field within a single interface accessed by the user on an Internet Network a transfer amount; and selecting from a data menu within the single interface a date for the funds transfer to execute.

Downing is a system for allowing a customer at one financial institution to transfer funds to a file account at the same institution so another party can remove cash from the customer's account via an ATM. In this manner the customer, using a preset code word, can send the code word to another individual to enable the withdrawal of funds from the customer's account, via an ATM anywhere available in the world.

Applicant argues that Downing fails to teach transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution. As clearly seen in Figs. 5A-5C and accompanying text in col. 11, lines 4-27, the customer only specifies an account to withdraw funds from. The institution then places the funds in limbo in a file account until the other party withdraws the funds. At that time the customer's account is debited. Therefore, transferring funds does not occur

in Downing between a user's financial account held at one institution and a user's financial account held at another institution, as claimed in applicant's invention.

Further, applicant argues that Downing fails to teach selecting a date for the transfer to execute. Downing only teaches selecting a date for the funds held in the file account to expire, wherein the other party will no longer have access to them (col. 11, lines 10-11).

Applicant points out that Jennings fails to teach transferring funds from or to a user's financial account held at one institution and a user's financial account held at another institution, as claimed. The art of Downing and Jennings fail to teach or suggest providing access to the user's financial account via a Web page requiring the user at least log-in with a name and password to access the user's financial accounts wherein the system navigates by the proxy to the Web pages of the financial institutions via an automated browser on the Internet; accesses the user's financial accounts with the user's account name and password and interacts with the Web pages to transfer funds either from or to said financial accounts, as if the user. The Examiner has not provided any art to teach or suggest said claims. Therefore, claim 10 is clearly patentable over the art of Downing and Jennings. Claims 12-17 are patentable on their own merits, or at least as depended from a patentable claim.

## Summary

As all of the claims, as argued above, have been shown to be patentable over the art presented by the Examiner, applicant respectfully requests reconsideration and the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully submitted,  
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